

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
CENTRAL DIVISION

P&M SERVICES, INC., a Tennessee corporation,)	Case No. 04-40173-FDS
Plaintiff,)	
v)	
ANDRE LAVALLEE,)	(Docket No. 5270-0001)
Defendant.)	

MOTION TO IMPOUND PURSUANT TO LR, D.Mass. 7.2

NOW COMES Plaintiff, P&M Services, Inc. by and through its attorneys, McCormick, Paulding & Huber LLP, and, pursuant to LR, D.Mass. 7.2, moves the Court to allow submission under seal of "Exhibit C" in support of Plaintiff's Answer to Motion to Dismiss. Exhibit C contains excerpts from the "Confidential Deposition of Alex Infantino," which is subject to a protective order in another pending case (Norkol/Fibercore, Inc. et al. v Quad/Graphics, Inc. et al., Case No. 01-C-1267, E.D. Wis.).

The Plaintiff requests that Exhibit C be impounded until further order of the Court, because, upon information and belief, the above-noted case is ongoing and there is no set deadline for expiration of the protective order. Also, it is requested that post-impoundment custody of Exhibit C be with Plaintiff's attorneys, McCormick, Paulding & Huber LLP.

Pursuant to LR, D.Mass. 7.2(d), this motion is being submitted prior to submission of the actual document (Exhibit C) for which impoundment is requested.

Respectfully submitted,

P&M SERVICES, INC.
By its attorneys,

/s/ Arthur F. Dionne
J. Kevin Grogan (MA No. BBO635089)
Arthur F. Dionne (MA No. BBO125760)
John A. Kramer (MA No. BBO643421)
McCormick, Paulting & Huber, LLP
1350 Main Street, 5th Floor
Springfield, Massachusetts 01103-1628
Telephone No. 413-736-5401
Fax No. 413-733-4543

Dated: October 20, 2004

Of Counsel:

Wm. Tucker Griffith
McCormick, Paulting & Huber, LLP
185 Asylum Street, City Place II
Hartford, Connecticut 06103-3402
Telephone No. 860-546-5290
Fax No. 860-527-0464

CERTIFICATE PURSUANT TO LOCAL RULE 7.1

Pursuant to LR, D.Mass. 7.1(A)(2), I, Arthur F. Dionne, local counsel for Plaintiff P&M Services, Inc., hereby certify that John A. Kramer, co-counsel for the Plaintiff, conferred with James P. Hoban, local counsel for defendant Andre Lavallee, on Wednesday, October 20, 2004 by telephone in an attempt in good faith to resolve or narrow the issues which are subject of the present Motion to Impound Pursuant to LR, D.Mass. 7.2, and that Attorney Hoban assented to the allowance of this Motion.

/s/ Arthur F. Dionne
Arthur F. Dionne